

PUBLIC NOTICE

Notice to Water Users
(Pursuant to Section 85-2-307, MCA)
The following application has been submitted to change a water right in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION TO CHANGE A WATER RIGHT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <http://www.dnrc.mt.gov/wrd/>.

OBJECTION DEADLINE: JUNE 10, 2016. THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 613 NE MAIN, SUITE E, LEWISTOWN, MT 59457-2020 FAX: 406-538-7089 PHONE: 406-538-7459.

Application Number : 76F 30070218

Applicant : BLACKFOOT VALLEY RANCH FOUNDATION
% JAY PROOPS
1430 N LAKE SHORE DR #13
CHICAGO, IL 60610 6682

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM Historical Flow Rate: 2.5 CFS	76F 33718-00 Historical Consumptive Volume: 134.00 AC-FT Historical Diverted Volume: 466.00 AC-FT	SEPTEMBER 15, 1882
STATEMENT OF CLAIM Historical Flow Rate: 1.88 CFS	76F 33719-00 Historical Consumptive Volume: 67.20 AC-FT Historical Diverted Volume: 233.60 AC-FT	APRIL 22, 1885
STATEMENT OF CLAIM Historical Flow Rate: 0.5 CFS	76F 33720-00 Historical Consumptive Volume: 26.80 AC-FT Historical Diverted Volume: 93.20 AC-FT	AUGUST 15, 1884
STATEMENT OF CLAIM Historical Flow Rate: 2.5 CFS	76F 33721-00 Historical Consumptive Volume: 22.30 AC-FT Historical Diverted Volume: 77.50 AC-FT	MAY 31, 1887
STATEMENT OF CLAIM Historical Flow Rate: 1.25 CFS	76F 33722-00 Historical Consumptive Volume: 36.90 AC-FT Historical Diverted Volume: 128.30 AC-FT	APRIL 22, 1885
STATEMENT OF CLAIM Historical Flow Rate: 5. CFS	76F 33723-00 Historical Consumptive Volume: 26.80 AC-FT Historical Diverted Volume: 93.20 AC-FT	JUNE 15, 1889

PAST USE OF WATER

IN CONJUNCTION WITH THE HISTORICAL INFORMATION FOR EACH INDIVIDUAL RIGHT ABOVE, THE DEPARTMENT'S FINDINGS OF HISTORIC USE FOR WARREN CREEK IRRIGATION STATEMENT OF CLAIM NOS. 76F 33718, 76F 33719, 76F 33720, 76F 33721, 76F 33722 AND 76F 33723 INCLUDE A PERIOD OF USE OF APR 15 - OCT 15 TO IRRIGATE A MAXIMUM OF 370.0 ACRES.

PROPOSED CHANGE

APPLICANT PROPOSES TO CHANGE A PORTION OF SIX SUPPLEMENTAL/OVERLAPPING IRRIGATION WATER RIGHTS TO THE PURPOSE OF INSTREAM FISHERY FOR A TEMPORARY PERIOD OF 5 YEARS. THE PROPOSED REACH OF STREAM FOR INSTREAM FISHERY PURPOSES IS THE LOWER 2.3 MILES OF WARREN CREEK LOCATED BETWEEN ONE OF THE CLAIMED, HISTORIC SEVEN DIVERSION POINTS IN THE NENESE SECTION 31, T15N, R12W, AND THE CONFLUENCE OF WARREN CREEK AND THE BLACKFOOT RIVER IN THE SESENW SECTION 1, T14N, R13W.

THE TWO MOST DOWNSTREAM OF THE SEVEN CLAIMED POINTS OF DIVERSION WILL BE RETIRED AND NO FURTHER APPROPRIATIONS WILL OCCUR FROM THOSE TWO DIVERSION POINTS. THE PROPOSED AMOUNT OF WATER TO BE CHANGED IS THE PROPORTIONAL AMOUNT ASSOCIATED WITH 137 ACRES OUT OF THE HISTORIC 370 IRRIGATED ACRES (137 ACRES WILL BE RETIRED FROM IRRIGATED PRODUCTION). IRRIGATION WILL CONTINUE TO OCCUR ON 233 ACRES.

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